

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

ROBERT E. EGGMANN, *in his capacity  
as Trustee of the Estate of Joseph W.  
Diekemper and Margaret A. Diekemper,*

Plaintiff,

v.

JAMES RICHARD MYERS, *a natural  
person, et al.,*

Defendants.

Civil Case No. 08-cv-757-JPG-PMF

**MEMORANDUM AND ORDER**

This matter comes before the Court on the motions of Joseph Diekemper (Docs. 188 & 189) for disclosure of the reasons one of the Court's law clerks has ceased his participation in this case. The Court **DENIES** the motions (Doc. 188 & 189). Suffice it to say that a reasonable person with knowledge of the relevant facts could perceive the possibility of partiality of the law clerk if he participates in proceedings beyond the date he ceased participating in this case. His further participation in this case is therefore improper. *See Code of Conduct for Judicial Employees*, Canon 3.

**IT IS SO ORDERED.**

**DATED: April 27, 2011**

s/ J. Phil Gilbert

**J. PHIL GILBERT  
DISTRICT JUDGE**